



**Libby Area Technical Assistance Group, Inc.**  
**P.O. Box 53, Libby, MT 59923**  
**November 11, 2003 Meeting Agenda**

- I. Call to Order (7 PM)
- II. Introductions
- III. Review and Approval of October 7, 2003 minutes
- IV. December annual meeting date (December 9, 7:00 PM County Annex Basement)
- V. Old Business
  - A. Budget/Funding/Progress Status
  - B. Tiger Team Updates
    - Education – (Sandy Wagner)
    - Survey – (Mary Tevebaugh)
    - Advocacy Issues – (Rick Flescher & Red Morton)
  - C. O&M Work Group Report
  - D. Annual Meeting (Officer/Board Election)
  - E. Community Interagency & Crisis Communication Workshop Ltrs.
  - F. Action Item Status/Update
  - G. National Contingency Plan Training – (Gordon Sullivan)
- VI. New Business
  - A. Mt. Dept of Environmental Quality Update – (C. French)
  - B. EPA Update – (Jim Christiansen)
  - C. Technical Advisor's Update – (Gordon Sullivan)
    - Work Plan for the Advocacy Program
  - D. Potential Issues
    - Cleanup vs. Beautification Effort
    - Homeowner Responsibility Threshold
    - Risk Assessment & Cleanup Precautionary Measures
    - Technical Advisor Use of Scientists
    - Supplemental Grants
    - Policy & Procedure Conflicts
      - Code of Conduct
      - Board Membership
- VII. Review and agreement on Action Items generated from this meeting
- VIII. Adjourn

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**P.O. Box 53, Libby, MT 59923**

**October 7, 2003 Meeting Notes**

**Attendees:**

Bob Beagle	Barb Guthneck	Mel Parker
Jerry Hersman	Lerah Parker	Mike Crill
George Keck	Jon Reny	Scott Supernaugh
Charlene Leckrone	Gordon Sullivan	David Schroeder
Clinton Maynard	Jim Christiansen	
Mary Tevebaugh	Wendy Thomi	
Rita Windom	D.C. Orr	

**I. Call to Order**

**II. Introductions** George Keck called the meeting to order and asked people to introduce themselves.

**III. Review and Approval of September 9, 2003 minutes** – Bob Beagle made a motion to accept the Sept 9<sup>th</sup> Board Notes and this passed unanimously. Gordon said he had a number of corrections and would get them to Barb.

**IV. Schedule next Board Meeting** - George announced that the November LATAG meeting date would be November 11, 7:00 PM County Annex Basement.

**V. Old Business**

**A. Budget/Funding Status** – George announced that once again, the two contractors had been paid and the remaining balance in the checking account was approximately \$6.00. Jerry asked for a full accounting of the budget and rate of expenditure for the next meeting. George and Barb agreed and said they would bring all this information to the next meeting. Clinton asked Jim what he thought, whether if we asked for another \$50,000 if we would get it. Jim said he thought there was a very good chance. Jerry said, we shouldn't count on it with the change in climate at EPA and government budget. He said he would like to see the \$50,000 go at least a year and a half. Wendy said that she had been asked by Budget if Libby would be asking for another \$50,000. She told them we were very early in the process but thought we would be asking for another \$50,000 eventually.

**B. Tiger Team Reports**

**Education** – (Sandy Wagner) – Sandy was not at the meeting and Jon asked that we wait for the next meeting for Sandy to give the report.

**Survey** – (Mary Tevebaugh) – Mary said that she only received one response on her request to the Board for comments on her proposed survey. She said that she met with Wendy regarding surveys EPA has conducted. (NOTE: THIS IS AN ACTION ITEM -) Wendy promised her to bring the questions and results of past surveys for the next LATAG Board meeting.

**Advocacy Issues – (Rick Flescher & Red Morton) –** Rick and Red were not at the meeting and Gordon said he would report.

Gordon said that he and George went to the boat ramp meeting with many of the LATAG Board members, County rep, Mayor, etc. Gordon said, based on their involvement the boat ramp was shut down for 1 vs. 3 weeks it might have been shut down. This allowed the boat ramp's continued use. The question of putting rip rap in the river was discussed but Scott said they discovered that it wasn't needed around the entire bank. He said there is some rip rap already placed in the river. Scott said he would need a map or to be on site to adequately explain the situation.

Gordon talked about Trudy Siefke's advocacy issue regarding a barn. He said for two years this has been a serious issue. He said that it is left over from the very beginning of the emergency response. Jim said he is working on this.

Jerry asked if this was the normal approach that people come to you, Gordon or do you solicit concerns by questioning people. Gordon said Lerah came to him with Trudy's concerns. Gordon said mostly concerns are brought to him and said that he needs to be careful getting too involved in advocacy issues or he won't meet the other requirements of his contract.

Gordon brought up that he is also looking at Larry Wilkes property as being a BIG problem and asked Jim if he agreed. Jim agreed that it could be a big problem. Gordon continued to say that it is very contaminated and has secondary contamination. He said there may be 50 tons of iron that is contaminated to some degree. Gordon said they were able to line up a contractor, Pioneer Auto who wants the iron for scrap, if EPA can say it is somewhat clean.

Scott said he is thankful for Gordon's assistance in advocacy. He said they had made six joint contacts so far and Gordon's presence and assistance has made a big difference in the results. George said it is a fine line Gordon has to walk, he can't be doing the EPA or Contractor's job or interfering.

Lerah said that people call her and her husband with asbestos clean up issues. She used examples of the Siefke property having a binding contract with the EPA that needs to be addressed. Learah asked, regarding the Larry Wilkes property, whether it has to be cleaned or hauled off to the dump site. She asked to see policies that every property is to be treated the same. Jim said that he wanted to treat Trudy as fair as he can and make it right. Jim said they will never have policies that cover everything. He said we have written policy that generally states that contamination items will be cleaned and left in place. He said the policy is to get things done the most efficient way possible. He said he has generalities for policy but that each situation has to be determined based on the specifics of the case.

Gordon said he will work with CDM and EPA when such issues come to his attention. George said, that sometimes it's better to have a local for locals to talk to. George said

our policy is to look at the EPA policies and say how CAN we get this done.

Jim said that each of the 6 or 7 issues Gordon has been involved in has worked out well and that people are more comfortable. He said sometimes when Gordon gets involved the EPA changes it's position on how it is handling a particular clean up and sometimes they don't.

Gordon said the challenge is which properties to engage in and spend his time.

George reminded everyone that TAG Tiger Teams can handle most of the advocacy issues as Gordon can't continue to do this full time as he has 11 items on his contract that he has to fulfill.

**C. CERCLA Education – (Gordon Sullivan) –** Gordon explained CERCLA. He cautioned that trying to explain CERCLA in 5 minutes would only give people the briefest overview and for those interested and inclined, they should read CERCLA. Gordon thanked Wendy for the materials she shared with him to make the presentation.

When questioned which phase we were in on CERCLA, Jim said, in normal operations, that would be very clear but in Libby, they are all over the place from the beginning up to O&M all at once.

George congratulated Gordon for the excellent, concise education on CERCLA. He asked at the next Board meeting if Gordon would do the same concise education for the National Contingency Plan. Gordon agreed.

**D. Action Item Status/Update –** George asked everyone to look at the Action Items Log. George said that an Action Item is an acknowledged assignment and the log is just a way to follow up in an orderly manner. Jerry said he wanted to understand how and when the action items that were put on the log and list were formulated and approved. George explained that Action Items were simply items that someone in the meeting acknowledged that they would do and they were documented so they didn't fall through the cracks. He said from now on, we will go over any new action items that were agreed upon during that meeting at the end of each Board Meeting. Jerry asked about Action Items that are made at a special meeting and the rest of the board wasn't there. He asked that they then be brought up at a regular scheduled board before being made an Action Item. George said that the Action Items are made at the end of a meeting. They will then be on the list at the next Board meeting for everyone to see who agreed to take what Action. Gordon said from now on, he will bring to the regular Board meeting his log of what he has done so the Board knows when he accomplished an Action Item. Mary brought up that she wants to make sure everyone gets e-mails about what is going on. George agreed that if in doubt send it to everyone. Mary said the Board is responsible for everything going on and needs to know what is going on. George said, human error, we all get so busy sometimes that someone might get left out but we have to work harder at not letting that happen. Mary said there is a lot of

information that we don't need to know but it was agreed that too much information is better than too little. George said you can always hit the delete button.

Mary said, though she trusts Barbara to manage the budget, she felt that she wasn't getting to see the details. George said he sees it and signs all the checks. George said that Barb is to bring all the details to the next Board meeting, as well as a chart that George and Barb developed that shows the progress of the work. He said Mary should meet with Barb a minimum of once a month to be kept up to date on the budget and other things that the Secretary / Treasurer is charged with that have been then delegated on to Barb.

Wendy said regarding Action Item 1b that a camera man (associated with ERT in New Jersey but is actually an EPA employee) is here in Libby and getting good footage. She said he is also trying to get permission to use footage out of the Dust to Dust video. She expects the video to be done the end of November.

Regarding item 4, CDM is putting together ambient air samples including background and agreed to a 1 December estimated completion date. Jim agreed that both this item and item number 5 was being held up by him due to his scheduling. He said there are actually 8 documents that he is holding to make sure they are all consistent. He said it will be a big dump of materials on TAG when they all come at once.

For item #11, Jim gave a 1 December estimated date saying that Aubrey is reviewing and Jim is waiting for his comments. Jim said he can give the binder that he got on the first day of the conference to Gordon. He said that 7 out of the 10 regions including Minneapolis and California were there telling their asbestos stories. Jim said he only attended the first day of the conference.

Jim asked that all O&M issues be dealt with at a later date.

Regarding Item #19, Gordon says he has and is digesting it.

Action Item 20, Jim said he will tell the workers to do this next week

Action Item 22, Jim said that he will look at and get to TAG but LATER as it is just a little bit more than he can pay for right now. There are 25 water samples and there are some items of note.

Mel asked if Rainy Creek is being monitored. Jim said not right now. Mel understood that EPA agreed to monitor it but if said if EPA wasn't going to do it then Leah and he decided they would. Mel said that he is paying \$200 to periodically test to see if Rainy Creek is getting better or worse. Jim said that W.R. Grace may be involved in doing the sampling. Jerry asked if EPA could pay for the testing and Jim said he could but didn't think he would as he needs more comprehensive testing done at a later date. He said he has asked repeatedly for \$1 million dollars for a 2 or 3 year effort to do that study and has not yet received funding. He stressed that he must wait and see if W.R. Grace is to be

involved. Jim said Bonny Lovell, the Denver Project manager will be doing a model for this effort for Libby. He said she is excellent technically. She is starting to work on this but would guess it would be over a 6 to 8 month period before she has anything to report.

Regarding item #21, Sandy is writing a letter for Alvin. George said we should get the appreciation letter out within 2 weeks. **(NOTE THIS IS AN ACTION ITEM)**

Jim said that W.R. Grace is starting a sampling and work plan for the flyway. Jim is waiting to see how they do on this before starting to look at other areas. He said all Grace work plans will pass through the public for comments.

Clinton asked if Grace has to meet Davis Bacon. Jim said not. Jim said that Grace would have to meet EPA requirements. He said if they use Grace's Proposed Plan there would be a range of options. He said, then EPA does a draft and sends out for public comments. Then, he said, EPA does a formal ROD (Record of Decision). Gordon asked if we would be involved and Jim said yes, TAG would be involved throughout.

Jim said that if Grace does take on this then that it will be Grace money paid for the effort. He said, the money would then not have to come out of the EPA budget. Regarding the Consent Decree, Gordon asked if it would be ready in 1 ½ years. Jim said that's unknown maybe 2 years. Clinton asked if there would be a time limit on Grace and Jim said it would be spelled out in the Consent Decree.

Regarding Item 23 for fire exposure, the data was non-detect and November 11 was non-detect.

## **VI. New Business**

**A. MT Dept of Environmental Quality Update – (C. French) –** Craig was not at the meeting so no report was given.

**B. EPA Update – Jim Christiansen –** Said he had covered under the Action Items.

**C. Technical Advisor's Update – (Gordon Sullivan) –** Gordon said that he proposed to write a work plan for the Advocacy Program and have it ready for the next meeting. **(NOTE THIS IS ACTION ITEM)**

Gordon proposed that a Work Study Group be convened. He said interested board Members would have to be willing to read technical documents, meet once a week to discuss and come up to a level of expertise in order to be able to respond to EPA documents. Jerry said he couldn't come once a week but if Gordon had it once a month then on a selective basis of the technical document being covered, he would like to be included. George questioned whether Gordon had time under his contract for such an intensive training session. Mel Parker asked if he could come once and if he was interested in continuing, keep coming. Gordon said he thought it should be expanded

beyond Board members and that Mel would definitely be welcome. Jerry asked for a compromise of bi-weekly that he could possibly squeeze it in.

**D. O&M Work Group** – George asked Jim where he was in O&M Planning. Jim said that he didn't want EPA to just come up with the plan and then ask "what do you think". Instead he would like TAG to have input all along and he has asked Healthy Communities to be involved as well. He said that long term Economic Development could certainly have a role here. Jim thought it was good that the O&M was mentioned at CAG. He said he hasn't talked to HCI further but will next month. He said there are no secrets about O&M, he just wants people involved, who will be responsible for implementing the O&M plan. He suggested that people such as people who work in real estate who could give input about buy-sell agreements, truck drivers who might be moving contaminated materials in the future, home owners, county, etc. be part of the committee.

Wendy said she went to the HCI meeting and suggested that they put a group together to serve on the O&M. She said John Konzen and Sandy Metheny agreed to look at the process. They want to talk to Jim. Wendy suggested a carpenter, excavator, TAG and everyone come to the table to discuss O&M.

George suggested to the Board that TAG let it play out awhile to see where we fit in. Gordon said he thought a TAG Board member should be in on it now. He wanted to see TAG be a liaison from the beginning. George asked Bob Beagle if he and Clinton would do this. Clinton said he would think about it. Jerry said Clinton would be a natural because of his background.

Jim said I don't want someone on the O&M that is demanding pie in the sky, want it all gone now. Clinton, said that's exactly where I am. George asked Clinton if he would temporarily say he was on the O&M and report back to the Board. Clinton said he didn't think he was the right person because he didn't agree you should be leaving any asbestos behind, period! Jim said that if Clinton was selected, he wouldn't let him speak about the option of leaving nothing behind. George then said he would attend. Charlene might attend as well. The first meeting is tomorrow at lunch. Rita said that tomorrow is a commissioners day if Konzen is attending the meeting would have to be short for him to fit it in.

It was asked who was on the CHI. Wendy said she remembered Rick Palagi, Rumelhart, Maki, Sandy, Konzen, Deb Davidson. She said that Tanis Lincoln, Carol Spas were also there to give a presentation. She continued with who was at the CHI, Russ Barnes and she said that normally Bob Parker and Greg Larson are there.

Jim said that he thought the O&M would meet once a month, minimum for the first few months but thought after the first few meetings that it would be less than once a month.

**E. Annual Meeting** – George brought up that our by-laws require an annual meeting where we select new officers. He asked for a date for the Annual Meeting. December was decided and Bob made a motion, it was seconded and carried.

George then appointed an ad hoc committee to select nominees for officers. He asked Sandy, Bob Beagle and Clinton to be that committee. He said they should ask the existing officers if they were interested in being considered to stay in their office and then hopefully to have at least two people nominated for every office.

**F. VCI Removal (Clinton Maynard)** – Clinton didn't have a report to share for this meeting.

#### **OTHER –**

Learah asked to speak. She asked that EPA have a definite policy that EPA use the same policy when they go to each property. She said some carpets are being replaced, a judge is getting his siding replaced, people are confused and angry. She said, she understands Jim, that every site is different, but if you are going to replace the carpet in one house do it in every house. Jim said we have to get better at doing the same at each house, that there is probably a rational reason why we do something. Jim begged that everyone not jump to conclusions that, say the Judge is being treated differently as he doesn't even know about a Judge's house that is being cleaned up and assured him whoever he is he is not getting special consideration. Learah says they get a lot of calls asking for advice and that Jim needs to understand that people are getting angrier and angrier.

Learah said we are still in emergency response. She asked, when do CERCLA regulations kick in? Jim said he's trying to do everything at once. He said even though he is still in emergency response, he's trying to get the plans in place so that everything makes sense. Learah said if we are in emergency response there are no budget limits. Jim said there isn't enough money in the emergency response budget to handle a large disaster at this time. There is a limited amount of money even under emergency response.

**VII. Adjourn** – Bob Beagle made a motion to adjourn and it was seconded and carried.



LIBBY AREA TECHNICAL ASSISTANCE GROUP						
LOG OF ACTION ITEMS						
as of 10/7/03						
(Estimated & Actual Completion Dates)						
ITEM	ORIGIN	DESCRIPTION	ACTIONEE	ECD	ACD	RESPONSE/CLOSURE
1 a	15 Jul 03 TAG Special Mtg	Policy Shift Rationale	EPA	09 Sep 03	09 Sep 03	09 Sep 03 EPA Memo to TAG
1 b	15 Jul 03 TAG Special Mtg	Public Information/education video	EPA	30 Nov 03		
2	15 Jul 03 TAG Special Mtg	Provide Health/Safety Plans	EPA	09 Sep 03	pre-9/9/03	CDM Procedures provided to TA
3	15 Jul 03 TAG Special Mtg	Vehicle cross contamination policy	EPA	09 Sep 03	09 Sep 03	09 Sep 03 EPA Memo to TAG
4	15 Jul 03 TAG Special Mtg	Monitor Placement & Past/Current Ambient Air Reports	EPA	1 Dec 03		
5	15 Jul 03 TAG Special Mtg	Interior/Exterior Air Sampling Procedure	EPA	1 Dec 03		
6	15 Jul 03 TAG Special Mtg	Carpet Removal Rationale	EPA	09 Sep 03	09 Sep 03	09 Sep 03 EPA Memo to TAG
7	15 Jul 03 TAG Special Mtg	Contractor's Health & Safety Plans	EPA	09 Sep 03	pre 9/9/03	
8	15 Jul 03 TAG Special Mtg	Post Clean Up Sampling Procedures	EPA	Fall 03		
9	15 Jul 03 TAG Special Mtg	Interior/Exterior Containment Sampling Procedures	EPA	09 Sep 03	09 Sep 03	09 Sep 03 EPA Memo to TAG
10	15 Jul 03 TAG Special Mtg	Quantify Exposure Level of Comfort	EPA	09 Sep 03		09 Sep 03 EPA Memo to TAG
11	15 Jul 03 TAG Special Mtg	Expand Upon Risk Estimates	EPA	1 Dec 03		
12	15 Jul 03 TAG Special Mtg	Cleanup/Clearance Documents	EPA	done	pre 10/7/03	Jim gave to Libby EPA f/TA
13	15 Jul 03 TAG Special Mtg	Govt/Contr Role/Responsibility Docs	EPA	done	pre 10/7/03	Interagency Agreement to TA
14	15 Jul 03 TAG Special Mtg	Living with Vermiculite Fact Sheet	EPA	09 Sep 03	draft	09 Sep 03 EPA Memo to TAG
15	15 Jul 03 TAG Special Mtg	Onsite vs. Offsite Testing Description	EPA	09 Sep 03	09 Sep 03	09 Sep 03 EPA Memo to TAG
16	15 Jul 03 TAG Special Mtg	Comfort Letter Draft (O&M Procedure)	EPA	near future		
17	15 Jul 03 TAG Special Mtg	Follow up Claim Responsibility (O&M Procedure)	EPA			09 Sep 03 EPA Memo to TAG
18	15 Jul 03 TAG Special Mtg	Owner Clean up Rejection (O&M)	EPA			09 Sep 03 EPA Memo to TAG
19	12 Aug TAG Board Mtg	Berman-Crump Model transcript	EPA	7 Oct 03	pre 10/7/03	
20	12 Aug TAG Board Mtg	Duplicate Set of Monitoring Devices	EPA	18 Oct 03		
21	09 Sep TAG Board Mtg	Guidance for Appreciation for Alvin's Training	EPA	07 Oct 03	Sandy has	
22	09 Sep TAG Board Mtg	Ground and Surface Water Data	EPA	8 Oct 03		
23	09 Sep TAG Board Mtg	Worker Exposure Data from Fire Monitoring	EPA	11 Nov 03		

# LATAG Grant Budget

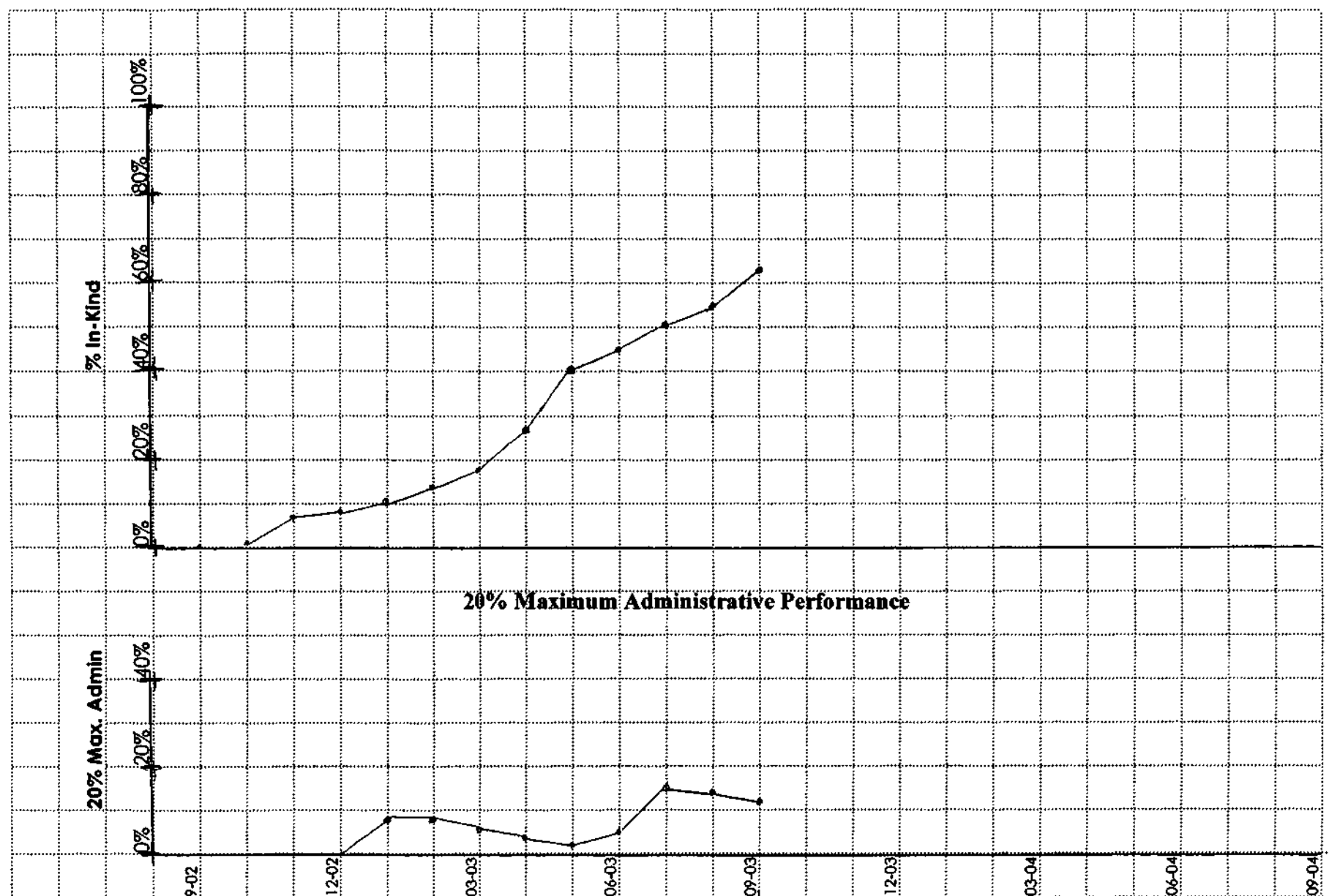
Date: updated 9/30/03

Income	Allocated	Original %	*Revised 6/26/03	Revised %	*% change
Grant					
Contractual	\$47,640	95.28%	\$46,000	92%	-3.28%
Other	\$2,360	4.72%	\$4,000	8%	3.28%
<b>Total income</b>	<b>\$50,000</b>	<b>100.00%</b>	<b>\$50,000</b>	<b>100%</b>	

Budget Expenses per contract	Planned Expenses per Application		*Revised 6/26/03	Actual Exp as of 9/30/03	
Technical advisor	\$36,000		\$36,000	\$9,612.50	27%
Travel f/Tech Advisor	\$3,000		\$1,000	\$0.00	0%
Administrator	\$8,640		\$9,000	\$2,922.00	32%
Other	\$2,360		\$4,000	\$1,726	43%
Postage \$350					
Phone \$540					
Copy/Printing/Media \$730					
Incorp./501(c)3 fees \$740			(\$500)	(\$502)	
Insurance Director & Officer Insurance \$0			(\$3,500)	(\$1,224)	
<b>Total budgeted expenses</b>	<b>\$50,000</b>		<b>\$50,000</b>	<b>\$14,260.50</b>	<b>29%</b>

\*Revised per phonecon 6/25/03 and follow up e-mail 6/26 from G. Keck to Danette Quick shifting less than 10% of budget

**20% Minimum Share of Performance**

Year 1

Year 2